

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re

Chapter 9

City of Detroit, Michigan,
Debtor

Case No. 13-53846
Hon. Steven W. Rhodes

**CLAIMANT'S REPLY TO WAYNE COUNTY TREASURER'S OBJECTION TO
CLAIMANT'S MOTION FOR CONTEMPT AND FOR SANCTIONS AGAINST
WAYNE COUNTY TREASURER**

Service Date: October 1, 2012

Designated Claimant: Deborah Taitt

Address: 18420 Wildemere
Detroit, MI 48221

Proof of Claim No.: 1300

Case No.: 12-017100-CH
Gatewood et al v Taitt et al

Court: Wayne County Third Circuit Court

Property: Parcel No. 16038783-9 AKA 16210 James Couzens, Detroit, MI 48221

FILED
2014 NOV 10 A 10:30
U.S. BANKRUPTCY COURT
E.D. MICHIGAN-DETROIT

In response to the Wayne County Treasurer's objection to the claimant's motion for contempt, the claimant Deborah Taitt, acting in pro se in this matter, states the following:

Facts

The claimant's motion for contempt against the Wayne County Treasurer is premised on the unauthorized foreclosure order issued on March 28, 2014 (Ex. 1) and not the foreclosure order issued on March 28, 2013 (WCT Objection, Ex. 1). As of December 1, 2013, Make Way

Construction, LLC owned the subject property and continues to receive tax bills including the most recent tax bill for Summer 2014 (Ex 2).

The City of Detroit imposed in excess of \$5,000.00 in estimated water bills against the subject property for the years 2009, 2010 and 2011. These estimated water bill liens are in dispute in the quiet title action in which the City of Detroit is a party (Wayne County Third Circuit Case No. 12-017100-CH). The quiet title action against the City of Detroit was stayed by the bankruptcy proceedings.

The foreclosure proceedings for the 2009 property taxes were removed to the United States District Court for the Eastern District of Michigan. The Order of foreclosure of the 2009 property taxes was filed with the Wayne County Register of Deeds on September 13, 2012 (Ex 3). The 2009 real property taxes were paid by New York Capital Investments, LLC (NYCI) on September 13, 2012. NYCI claimed to hold an unrecorded interest in the subject property. On September 14, 2014, NYCI filed a lien for payment of the 2009 taxes and conveyed title to the subject property to Wayne Gatewood and Rosalind Harris (Ex 4). There is no evidence in the register of deeds to show that NYCI ever held an ownership interest in the subject property. There is a pending criminal investigation of the conveyance of the subject property to Gatewood and Harris. There is a pending civil action pending in which NYCI is named as a third party defendant (Case 12-017100-CH).

On December 5, 2012, Taitt was accompanied by the Wayne County Sheriffs to change the locks on the subject property. On December 5, 2012, the Wayne County Treasurer issued a Certificate of Redemption to NYCI for payment of the 2009 real property taxes (Ex 4). Owners are not issued redemption certificates for the payment of their taxes. The issuance of the

redemption certificate to NYCI indicates that the Wayne County Treasurer did not recognize an ownership interest of NYCI on September 13, 2012.

Within a few days after Taitt changed the locks on December 5, 2012, Gatewood and Harris changed the locks again and have occupied the property until they were ordered to vacate the premises by September 19, 2014. The claimant filed a lien against the property on December 14, 2012 (Ex 6). On December 17, 2012, she sent a letter to Gatewood and Harris asking them to vacate the premises (Ex 7).

On December 27, 2012, Gatewood and Harris filed a quiet title action against Make Way Construction, LLC and Deborah Taitt, claiming an ownership interest in the subject property. Taitt filed a third party complaint against other parties claiming an interest in the subject property, including NYCI, Wayne County Treasurer, City of Detroit and the United States. In the pending quiet title action NYCI was properly served and failed to appear or defend its interest in the property.

On April 8, 2013, the Wayne County Treasurer entered into a payment agreement for the 2010 property taxes with Rosalind Harris as the property owner/ taxpayer (Ex 8). The public record showed that at the time she was neither the property owner nor the taxpayer of record. The Wayne County Treasurer issued Harris a redemption certificate (Ex 9) on January 6, 2014 which named Make Way Construction, LLC as the taxpayer of record. When the redemption certificate was issued the Wayne County Treasurer knew that Rosalind Harris was not the property owner or the taxpayer.

At a hearing held July 22, 2014 (Wayne County Third Circuit Case No. 12-017100-CH) the court declared that Gatewood and Harris did not hold an ownership interest in the subject property and had trespassed onto the property and unlawfully removed and/or discarded

furnishings, fixtures and personal property. On September 9, 2014, Gatewood and Harris were ordered to vacate the premises and remove all of the property that they brought onto the premises within ten days. Gatewood and Harris did not fully comply with the order.

Other Litigation

The other litigation in which Taitt was a party are irrelevant to the issue of whether the Wayne County Treasurer complied with the stay order of this court. None of the prior litigation noted in the objection were ever adjudicated on the merits and as such res judicata does not apply. There has been no order issued by the federal district court barring Taitt from filing any causes of actions to overturn the judgment of foreclosure.

The Wayne County Treasurer has not provided a legal authority that authorizes them to violate a stay order issued by this court. Despite its knowledge of the stay order issued by this court, the Wayne County Treasurer caused the Order of Foreclosure dated March 28, 2014 to be issued and the subsequent placement of the property in the foreclosure sale. County treasurers are not exempt from the stay order.

Applicable Law

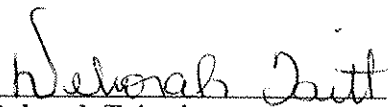
The water bill lien on the 2011 taxes was imposed against the 2011 winter taxes in December 2011 (Motion for Contempt, Ex A). Pursuant to MCL 123.162, the water bill lien shall be enforceable for 3 years after it becomes effective. Therefore the water bill lien is enforceable by law until December 1, 2014. The foreclosure order was issued more than eight months prior to the statutorily defined expiration of the effective period of the water bill lien. There is no evidence in the public record to reflect that the City of Detroit released its lien interest in the subject property prior to the date the Order of Foreclosure was issued on March 28, 2014.

MCL 211.10d (7) requires that every lawful assessment roll shall have a certificate attached signed by the certified assessor who prepared or supervised the roll. Pursuant to MCL 123.162, the lien becomes effective immediately upon the distribution of water or the provision of sewerage service to the premises or property. At issue in the quiet title action is whether estimated water bills can be certified as actual use or consumption of water or service. Also at issue is why it took the City of Detroit 2 ½ years to terminate the water service at the subject property after numerous verbal and written requests to terminate the service at the property location.

By failing to comply with the removal statutes and the statutorily imposed redemption expiration requirements of MCL 211.78g (3) the Wayne County Treasurer is in part responsible for the trespass onto the subject property by Gatewood and Harris. Whether by negligence or intent, the Wayne County Treasurer's unauthorized acts were instrumental in the promotion of the criminal acts by NYCI and Gatewood and Harris.

It is evident by the objection to the claimant's motion that the Wayne County Treasurer has tried to confuse the issue by making reference to a 2013 foreclosure order for the foreclosure of the 2010 real property taxes. The foreclosure order issued on March 28, 2014 (Ex 2) was issued subsequent to the stay order issued by this court. The Wayne County Treasurer should be held in contempt.

Dated November 10, 2014


Deborah Taft, in pro se
18420 Wildemere
Detroit, MI 48221
(313) 340-1266

PROOF OF SERVICE

I certify that on November 10, 2014 I mailed the foregoing documents and exhibits to

To

Kilpatrick & Associates, P.C.
Leonora K. Baughman
615 Griswold, Suite 1708
Detroit, MI 48226

Dated: November 10, 2014

Submitted by,

/s/ Deborah Taitt



Deborah Taitt, In Pro Se

18420 Wildemere

Detroit, MI 48221

(313) 340-1266

debtaitt@gmail.com

INDEX OF EXHIBITS

<u>Exhibit</u>	<u>Description</u>
1	Notice of Foreclosure Dated March 28, 2014
2	Tax Bill Summer 2014
3	Notice of Foreclosure Dated March 30, 2012
4	NYCI lien for payment of property taxes/ Quit Claim Deed Conveyed to Gatewood and Harris
5	Redemption Certificate issued to NYCI
6	Claimant's lien
7	Letter to Gatewood and Harris to Vacate Premises
8	Agreement Harris and Wayne County Treasurer
9	Redemption Certificate Issued to Rosalind Harris

EXHIBIT 1

2014380370 L: 51739 P: 1242 JOF
09/10/2014 07:24:21 PM Total Pages: 1
Bernard J. Youngblood, Register of Deeds - Wayne County, MI
ELECTRONICALLY RECORDED

**WAYNE COUNTY TREASURER
NOTICE OF JUDGMENT OF FORECLOSURE**

Required By Section 211.78k(8) of the General property Tax Act, 1893 PA 206 as amended, MCL 211.78k(8)
On March 28, 2014 in Civil Action No. 13-007698-CH, the Circuit Court for the Third Judicial Circuit, Wayne County, entered a Judgment of Foreclosure in the Matter of the Petition of the Wayne County Treasurer against the real property described below vesting absolute title to the real property described below in the Wayne County Treasurer as provided in Section 211.78k of the General Property Tax Act., 1893 PA 206, as amended, MCL 211.78k, if not redeemed within 21 days after entry of the Judgment. This Judgment became final and unappealable on March 31, 2014. The Judgment vests good and marketable absolute fee simple title in the Wayne County Treasurer. Any recorded or unrecorded interests and all liens are extinguished, except for future installments of special assessments and liens or interests recorded by the state or the foreclosing governmental unit pursuant to the natural resources and environmental protection act, 1994 PA 451, as amended.

Parcel ID #: 16038783-9

Property forfeited to the Wayne County Treasurer on March 1, 2013
Certificate of Forfeiture recorded at Liber 50581 Page 1125

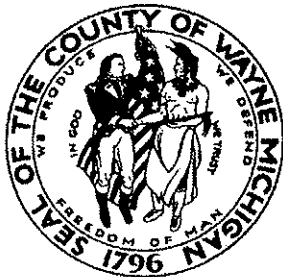
Parcel Address:(if available): 16210 JAMES COUZENS, DETROIT

Property Description of the property:

E JAMES COUZENS DR LOTS 268 THRU 262 EXC JAMES COUZENS HWY AS WD NORTHWESTERN PURITAN SUB
L48 P31 PLATS, W C R 16/383 140 X 51

Commonly known as: 16210 JAMES COUZENS, DETROIT

Dated this Day 9/10/2014



Raymond J. Wojtowicz
Wayne County Treasurer

EXHIBIT 2



2014 CITY OF DETROIT
CITY, COUNTY, SCHOOL TAX/FEE BILL

DEPARTMENT 268301
CITY OF DETROIT - PROPERTY TAX
PO BOX 55000
DETROIT MI 48255-2683

PARCEL # 16038783-9

TOTAL DUE \$1,663.38

AMOUNT PAID

Please Note: This bill is for 2014 only. Prior years unpaid taxes/fees are billed separately.
Make checks payable to: Treasurer, City of Detroit

0132925/65698

\$891.69 1ST SUMMER PMT DUE 08/15/2014
\$771.69 2ND SUMMER PMT DUE 01/15/2015
\$1,663.38 OR TOTAL AMOUNT DUE 08/31/2014

MAKE WAY CONSTRUCTION LLC
PO BOX 211047
DETROIT, MI 48221-5047

Property Address: 16210 JAMES COUZENS

Partial Legal Description:

E JAMES COUZENS DR 268 THRU 262 EXC
JAMES COUZENS HWY AS WD NORTHWESTERN
PURITAN SUB L46 P31 PLATS,

TAXING AUTHORITY	MILLS	TAX
STATE EDUCATION	6.00000	120.00
GENERAL CITY	19.95200	399.04
DEBT SERVICE	9.82370	196.47
LIBRARY	4.63070	92.61
SCHOOL DEBT	13.00000	260.00
SCHOOL OPERATING	18.00000	360.00
SCHOOL JUDGMENT	0.34150	6.83
W COUNTY TAX	5.64830	112.96
DDA	0.00000	0.00
SCHOOL OPER FC	18.00000	0.00
Totals	77.39620	1,547.91
SPECIAL FEES		FEE AMOUNT
INSPECTION FEE		100.00
Total Special Fees		100.00
TAX BILL SUMMARY		SUMMARY TOTALS
Admin Fee		15.47
Total Tax		1,547.91
Total Special Fees		100.00
TOTAL AMOUNT DUE:		\$1,663.38

Taxable Value: 20,000
State Equalized Value: 20,000
School District: DETROIT SCHOOL
Property Class: 201-COMMERCIAL
Special Classification: Z100 (TID 1-0)
P.R.E./M.B.T: 0%

(For additional information on principal residence, see back of bill)

NOTICE:

All special fees are immediately due and payable upon billing and are included in the total amount due. If you are making a 1st & 2nd summer payment, please note that all special fees are included respectively to the 1st & 2nd payments.
Current amounts due may be paid at <http://www.detroitmi.gov/infotransaction> or by calling 1-855-894-2400. The credit card processor charges a 2.5 percent (2.5%) convenience fee for this service. For help in making a credit card payment, please call 1-888-891-6064 ext #1. Effective 12/01/2011, the City of Detroit, Treasury Division will no longer mail property tax receipts back to the taxpayer. The taxpayer's canceled check or money order will be accepted as proof of payment. If your mailing address is incorrect, please call the Assessor's Office at (313)224-3035.

WHEN PAYING IN PERSON PLEASE BRING THE ENTIRE BILL

WHEN MAILING, RETURN BOTTOM PORTION WITH YOUR PAYMENT IN THE ENCLOSED BLUE ENVELOPE



2014 CITY OF DETROIT
CITY, COUNTY, SCHOOL TAX/FEE BILL

DEPARTMENT 268301
CITY OF DETROIT - PROPERTY TAX
PO BOX 55000
DETROIT MI 48255-2683

PARCEL # 16038783-9

TOTAL DUE \$1,663.38

AMOUNT PAID

0000201401002683010000160387832500001100001663389

\$891.69 1ST SUMMER PMT DUE 08/15/2014
\$771.69 2ND SUMMER PMT DUE 01/15/2015
\$1,663.38 OR TOTAL AMOUNT DUE 08/31/2014

Partial Legal Descriptions:

E JAMES COUZENS DR 268 THRU 262 EXC JAMES
COUZENS HWY AS WD NORTHWESTERN PURITAN SUB L46
P31 PLATS,
Property Address: 16210 JAMES COUZENS



*****AUTO**5-DIGIT 48220 336/1/6 0132925
MAKE WAY CONSTRUCTION LLC
PO BOX 211047
DETROIT, MI 48221-5047

EXHIBIT 3

**WAYNE COUNTY TREASURER
NOTICE OF JUDGMENT OF FORECLOSURE**

Required By Section 211.78k(5) of the General Property Tax Act, 1893 PA 206 as amended, MCL 211.78k(5)
On March 30, 2012 in Civil Action No. 11-007010-CH, the Circuit Court for the Third Judicial Circuit, Wayne County, entered a Judgment of Foreclosure in the Matter of the Petition of the Wayne County Treasurer against the real property described below vesting absolute title to the real property described below in the Wayne County Treasurer as provided in Section 211.78k of the General Property Tax Act, 1893 PA 206, as amended, MCL 211.78k, if not redeemed within 21 days after entry of the Judgment. This Judgment became final and unappealable on April 29, 2012. The Judgment vests good and marketable absolute fee simple title in the Wayne County Treasurer. Any recorded or unrecorded interests and all liens are extinguished, except for future installments of special assessments and liens or interests recorded by the state or the foreclosing governmental unit pursuant to the natural resources and environmental protection act, 1994 PA 451, as amended.

Parcel ID #: 16038783-8

Property forfeited to the Wayne County Treasurer on March 1, 2011
Certificate of Forfeiture recorded at Liber 49063 Page 235

Parcel Address:(if available): 16210 JAMES COUZENS, DETROIT

Property Description of the property:

E JAMES COUZENS DR LOTS 268 THRU 262 EXC JAMES COUZENS HWY AS WD NORTHWESTERN PURITAN SUB L46 P31
PLATS, W C R 16/383 140 X 81

Commonly known as: 16210 JAMES COUZENS, DETROIT

Dated this Day 9/13/2012



Raymond J. Wojtowicz

Raymond J. Wojtowicz
Wayne County Treasurer

EXHIBIT 4

2012 SEP 14 AM 10:46

Bernard J. Youngblood
Wayne County Register of Deeds
September 14, 2012 10:48 AM
Inst: 2012373941 LN Pages: 2
Liber: 50121 Page: 927



IN THE WAYNE COUNTY REGISTER OF DEEDS
FOR THE [REDACTED], STATE OF MICHIGAN

New York Capital Investments, LLC,
Lien Claimant,

File No. DET-16/038783-9

v.

MAKE WAY CONSTRUCTION, LLC
Party of Interest.

STATUTORY REDEMPTION LIEN
PURSUANT TO MCL 211.78
NEW YORK CAPITAL INVESTMENTS

KNOW ALL MEN BY THESE PRESENTS:

New York Capital Investments, LLC, A Delaware Company, having an address of 40 E. Main Street, Suite 784, Newark, DE 19711, hereby gives notice to Deborah Taitt, whose address is 18420 Wildemere, Detroit, MI 48221 and Make Way Construction, LLC, a Michigan Company, whose address is 16216 James Couzens, Detroit, 48221 and any other person or entity who is the record owner of title to the premises who are/is known or who may become known and to the successor(s) in title and all other interested persons in the premises that the happening of a condition or event may terminate an estate or interest in real property pursuant to a LIEN which is claimed upon the premises situated in the City of Detroit, County of Wayne, State of Michigan, described as:

Lots 262 through 268, inclusive, except James Couzens Highway as widened, Northwestern Puritan Subdivision, City of Detroit, Wayne County, Michigan, as recorded in Liber 46, Page 31 of Plats, Wayne County Records.

Commonly known as: 16210 James Couzens 16/038783-9

by New York Capital Investments, LLC, pursuant to Michigan Compiled Law Section 211.78(g), who FIRST provided valid United States Federal Reserve Notes in an amount sufficient to remove the obligation from the Wayne County Treasurer. The lien claimant's amount is Six Thousand One Hundred Seventy Four And 79/100 (\$6,174.79). As of September 7, 2012, the lien claimant has received \$0.00 and therefore claims an unpaid tax lien upon the above-described property in the amount of \$6,174.79. The record owner of title is Make Way Construction, LLC, a Michigan Company, whose address is 16216 James Couzens, Detroit, 48221.

In witness whereof, I have hereunto set my hand this 13th day of September 2012
Signed, sealed and delivered in the presence of:

(Signature)

By: Sherman Pegross
Its: Authorized Agent for New York Capital Investments, LLC
40 E. Main Street, Suite 784
Newark, DE 19711

STATE OF MICHIGAN)
)SS.
COUNTY OF WAYNE)

On this 13 day of September 2012 before me a notary public in and for said county, personally appeared Sherman Pegross Its Authorized Agent for New York Capital Investments, LLC, who executed the above instrument and acknowledges that he executed the same for the intents and purposes therein mentioned.

Rita Hawkins
Notary Public

Wayne County, Michigan

My commission expires: Nov 18, 2015

RITA HAWKINS
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES NOV 18, 2015
ACTING IN COUNTY OF Wayne

DRAFTED BY: Sherman Pegross
PO Box 251452
West Bloomfield, MI 48325

RETURN TO: Lien Claimant

2012 SEP 14 AM 10:45

Bernard J. Youngblood
Wayne County Register of Deeds
September 14, 2012 10:49 AM
Inst: 2012373942 QCD Pages: 1
Liber: 50121 Page: 929



QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS THAT:

New York Capital Investments, LLC, A Delaware Company, having an address of 40 E. Main Street, Suite 784, Newark, DE 19711, does hereby convey and quitclaim to:

Wayne Gatewood, a married and Rosalind Harris a single woman (Grantee), both of whom's address is 5360 W. Outer Drive, Detroit, MI 48221, the following described premises situated in the City of Detroit, Wayne County, Michigan, more particularly described as:

Lots 262 through 268, inclusive, except James Couzens Highway as widened, Northwestern Puritan Subdivision, City of Detroit, Wayne County, Michigan, as recorded in Liber 46, Page 91 of Plats, Wayne County Records.


Commonly known as: 16210 James Couzens 16/038783-9

Subject to all easements, limitations and restrictions of record.

TOGETHER with all the hereditaments and appurtenances thereto belonging to or appertaining for the sum of: TWENTY FIVE THOUSAND AND 00/100 Dollar (\$25,000.00).

Dated this 14th day of September, 2012.

SIGNED:

BY: 
Sherman Pegross
Its: Authorized Agent for New York Capital Investments, LLC
6725 Daly Rd. #251452
West Bloomfield, MI 48325

STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

Real Estate Transfer Tax
County: \$27.58
State: \$187.58
Rec'd: 09/17/12
Stamp: 271212



The foregoing instrument was acknowledged before me this 13th day of September, 2012 by Sherman Pegross, its Authorized Agent for New York Capital Investments, LLC.


Rita Antkowiak
Notary Public

NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES MAY 18, 2016
ACTIVE IN COUNTY OF Wayne

Wayne County, Michigan. My Commission Expires:

This Instrument Drafted By: Sherman Pegross
PO Box 251452
West Bloomfield, MI 48325

Return to: Grantee

EXHIBIT 5

Bernard J Youngblood
Wayne County Register of Deeds
December 5, 2012 05:05 PM
Inst: 2012472186 Liber: 50330 Page: 1415
Electronically Recorded

**WAYNE COUNTY TREASURER
CERTIFICATE OF REDEMPTION**

Name of taxpayer on the Treasurer's records: MAKE WAY CONSTRUCTION LLC
Property ID No: 16038783-9 Located in CITY OF DETROIT, WAYNE COUNTY, MI
Property Description:
E JAMES COUZENS DR LOTS 268 THRU 262 EXC JAMES COUZENS HWY AS WD NORTHWESTERN PURITAN SUB L46 P31
PLATS, W C R 16/383 140 X 51

Commonly known as: 16216 JAMES COUZENS, CITY OF DETROIT

The total amount of delinquent taxes, penalties, interest and fees necessary to redeem
the parcel is \$5174.79

Under the provisions of MCL 211.78g(5), I hereby certify, that on 9/13/2012, the sum
stated above was the amount necessary to redeem the foregoing described parcel of land
and that NEW YORK CAPITAL INVESTMENTS has paid that amount to my office.

This Certificate of Redemption is issued to remove, release and discharge the Certificate
of Forfeiture recorded in Liber 49063, Page 235, Registration Number
201107336, of the Wayne County Records.

Dated this Day 12/5/2012



Raymond J. Wojtowicz

Raymond J. Wojtowicz
Wayne County Treasurer

EXHIBIT 6

2012 DEC 14 PM 12:34

Bernard J. Youngblood
Wayne County Register of Deeds
December 14, 2012 12:34 PM
Inst: 2012481679 COL Pages: 2
Liber: 50954 Page: 774



CLAIM OF LIEN

NOTICE IS HEREBY GIVEN that on the 5th day of December, 2012
Deborah Taft, 18420 Wildemere, Detroit, MI 48221

(Name and Address)

first provided labor or material for an improvement to Lots 262 through 268, inclusive, except James Couzens Hwy as
widened, N.W. Puritan Sub., City of Detroit as recorded in Liber 46, P 31 of plats, WCR (legal property description)
which is Make Way Construction, LLC the (owner/lessee) of

(Name of Owner or Lessee from Notice of Commencement)

The last day of providing labor or material was on the 5th day of December, 2012.

Contractors, Subcontractors, or Suppliers:

The lien claimant's amount, including extras, is \$ 206.93. The lien claimant has received payment thereon in the total of \$ 0 and therefore claims a construction lien upon the above-described real property in the amount of \$ 206.93.

Laborers:

The lien claimant's hourly rate, including fringe benefits and withholding is \$ _____. There is due and owing to or on behalf of the laborer the sum of \$ _____ for which the laborer claims a construction lien upon the above described real property.

**

Deborah Taft

(Printed name of lien claimant)

Deborah Taft

(Signature of lien claimant & capacity)

Date: 12/14/2012

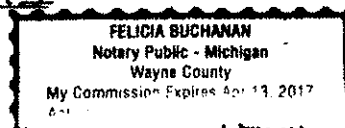
Address: 18420 Wildemere
Detroit, MI 48221

State of Michigan

County of Wayne } §

Subscribed and sworn to before me this 14 day of December, 2012
Felicia Buchanan Notary Public, Wayne County, Michigan
My Commission Expires: April 13, 2017

PREPARED BY: Name: Deborah Taft
Address: 18420 Wildemere, Detroit MI 48221



**If the claim of lien has been assigned insert here: "The construction lien having been assigned, this claim of lien is made by _____ as assignee thereof."

Proof of Service of Notice of Furnishing, if required by law, must be attached.

PROOF OF SERVICE OF NOTICE OF FURNISHING

State of Michigan

} §

County of Wayne

Deborah Taft, a person of suitable age and discretion, as the duly authorized agent for
Make Way Construction, LLC

being first duly sworn in accordance with the law, deposes and says:

☐ Use if service was by certified mail.

That on the _____ day of _____, A.D. _____, he/she mailed a Notice of Furnishing (a true and exact copy of which is attached hereto) by U.S. Certified Mail and with postage fully prepaid thereon to the following person(s) with the certified number as indicated:

☐ Use if service was made personally.

That on the 5th day of December, A.D. 2012, he/she personally served a true copy of the Notice of Furnishing (a true and exact copy of which is attached hereto) upon the following person(s) by handing said true copy of said Notice of Furnishing personally to:

Addressee/Address	Indicate whether Owner Designee or Contractor	Certified Mail Number if applicable
<u>Make Way Construction, LLC</u>	_____	_____
<u>16216 James Couzens</u>	_____	_____
<u>Detroit, MI 48221</u>	<u>owner</u>	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Deborah Taft

(Printed Name)

Deborah Taft
 (Signature)

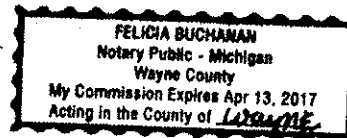
Subscribed, sworn to and acknowledged before me this 14 day of December

NOTARY PUBLIC:

Felicia Buchanan
 (Signature/Printed Name)

My commission expires: April 13, 2017

Wayne County, MI



PROOF OF SERVICE OF CLAIM OF LIEN

State of Michigan)
)
County of Wayne)

Deborah Taitt, a person of suitable age and discretion, being first duly sworn in accordance with the law, deposes and says:

That on the 14th day of December, 2012, she has served a true copy of the Claim of Lien (a true and exact copy of which is attached hereto) upon the following person by handing said true copy of said Claim of Lien to:

Make Way Construction, LLC,
Property Owner
16216 James Couzens
Detroit, MI 48221

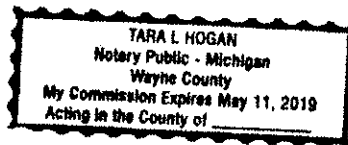
Deborah Taitt
Printed Name

Deborah Taitt
Signature

Subscribed, sworn to and acknowledged before me this 17th day of December 2012.

NOTARY PUBLIC

Tara L Hogan



My commission expires: 5-11-2019

Wayne County, MI

EXHIBIT 7

Make Way Construction, LLC
16216 James Couzens
Detroit, MI 48221

December 17, 2012

Mr. Wayne Gatewood
Ms. Rosalind Harris
5360 W. Outer Drive
Detroit, MI 48235

RE: Property ID. No 16-28783-9
16210 James Couzens

Mr. Gatewood and Ms Harris,

I am writing to you regarding the above named property. I have recently reviewed the public record and have learned that you purchased the above named property from New York Capital Investments, LLC. I am writing to inform you that Make Way Construction, LLC is the legal owner of this property.

According to the public record, New York Capital Investments, LLC redeemed the 2009 property taxes on the subject property. Make Way Construction, LLC did not authorize or enter into any agreements with New York Capital Investments, LLC to pay the taxes. Make Way Construction, LLC did not transfer its interest in the property to New York Capital Investments, LLC. Pursuant to MCL 211.78g (5), persons other than the owner who redeem property are entitled to a lien. Pursuant to MCL 565.25, liens and other encumbrances do not perfect unless a court of competent jurisdiction finds that a full and fair accounting of the facts support the recording of the instrument and that proof of service is given to the recorded landowner.

I would like to request that you and/or your assigns vacate the above named property as you are trespassing on private property. Thank you for your anticipated cooperation in this matter.

Cordially yours,

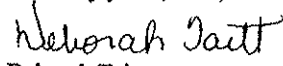

Deborah Taitt
Managing Member

EXHIBIT 8

Parcel I.D. No. 16038783-9
Parcel Address 16210 JAMES COUZENS DETROIT 48221
**STIPULATED AGREEMENT TO PAY FORFEITED 2010 AND PRIOR
TAXES, INTEREST, PENALTIES AND FEES AND WAIVER OF HEARING**

THERE IS NO AGREEMENT UNTIL THE TREASURER OR HIS REPRESENTATIVE EXECUTES THIS DOCUMENT

The Undersigned hereby stipulate and agree as follows:

1. Pursuant to Michigan law (MCL 211.78 et seq.), the Wayne County Treasurer has filed a Petition for Foreclosure under Wayne County Circuit Court Case No. 12-007968-CH seeking a Judgment of Foreclosure against real property with forfeited taxes, interest, penalties and fees (hereinafter "TIPF") owed for 2010 and periods prior to that date;
2. The undersigned Taxpayer seeks additional time to redeem the subject property (Parcel Number/Address above or attached) by payment of the 2010 TIPF, based upon a claim of substantial financial hardship.
3. It is so stipulated and agreed between the undersigned that in consideration for the Wayne County Treasurer's agreement to extend the redemption date regarding the above described property only, the Taxpayer stipulates to the entry of a Judgment of Foreclosure and agrees to redeem the property by payment in full of the delinquent 2010 and prior TIPF, by installment payments which meet the following minimum payment schedule:

April 8, 2013	\$3,385.00	40% paid upon signing this Stipulated Agreement (Installment #1)
June 4, 2013	\$1,692.00	20% must be paid (Installment #2).
August 6, 2013	\$1,692.00	20% must be paid (Installment #3).
October 8, 2013	\$1,691.02	20%* must be paid (Installment #4). *there may be additional taxes and interest.

I realize these
payments must be
made on/before due
dates.
Initials:

Online payments can be made at www.treasurer.waynecounty.com. Payments can also be made by cash or certified funds in person at the Wayne County Treasurer's Office or by mailing certified funds to: Office of the Wayne County Treasurer 400 Monroe, 5th Floor, Detroit, MI 48226. Note: Interest shall continue to accrue at 1.5% per month (18% annually), along with applicable penalties and fees on the unpaid balance of the forfeited taxes owed until paid in full. **NO PERSONAL CHECKS WILL BE ACCEPTED**

If Taxpayer has satisfied the minimum payment obligation of 60% of 2010 and prior TIPF by June 4, 2013, the subject property shall be removed from the list of properties to be auctioned by the Treasurer in 2013. **If Taxpayer fails to pay at least 60% of the 2010 and prior TIPF by June 4, 2013, this property will be foreclosed and auctioned.** Taxpayer shall be in default of this Stipulated Agreement and cause the extended period of redemption to expire on that date, and the property shall vest in the Treasurer by fee simple absolute title pursuant to the Judgment of foreclosure filed under Wayne County Circuit Court Case No. 12-007968-CH. Taxpayer hereby waives notice of and period to cure default. Foreclosure may result in the property being sold and title conveyed by deed from the Treasurer to the auction purchaser at the Treasurer's Auctions in 2013.

4. It is acknowledged by the undersigned Taxpayer that any right the Taxpayer may have to contest or object to the Petition of Foreclosure or any Judgment based upon said Petition to foreclose the property, in Wayne County Circuit Court Case No. 12-007968-CH, including the right, if any, to a hearing before said court is hereby knowingly and voluntarily waived. This Stipulated Agreement may only be modified by the mutual consent of the parties in writing. **IT IS SO STIPULATED AND AGREED.**

TAXPAYER INFORMATION:

I am the Taxpayer/ Property Owner: ☒ Yes ☐ No
If "No", What is relationship to Taxpayer/Property Owner:

PRINTED NAME: Rosalind Harris
STREET ADDRESS: 16210 JAMES COUZENS FWY
CITY, STATE, ZIP: DETROIT MI 48221
Phone Number: 2487274624
E-Mail Address:

By your signature you hereby acknowledge that you have read the instructions and agree to the terms of this agreement
Signature:

*This information must be completed to initiate the payment agreement
All items are REQUIRED*

By:

Wayne County Treasurer's Office
Representative
400 Monroe, 5th Floor
Detroit, MI 48226

Date: 04/08/2013

or
By:

Ass't. Wayne County Corporation
Counsel
(P)
400 Monroe, Suite 660
Detroit, MI 48226

(Revised 11/28/12) IF YOU HAVE QUESTIONS PLEASE E-MAIL taxinfo@cp.wayne.mi.us or CALL (313) 224-6105

EXHIBIT 9

Bernard J Youngblood
Wayne County Register of Deeds
January 6, 2014 04:45 PM
Inst: 2014008500 Liber: 51244 Page: 829
Electronically Recorded

**WAYNE COUNTY TREASURER
CERTIFICATE OF REDEMPTION**

Name of taxpayer on the Treasurer's records: MAKE WAY CONSTRUCTION LLC

Property ID No: 16038783-9 Located in CITY OF DETROIT, WAYNE COUNTY, MI

Property Description:
E JAMES COUZENS DR LOTS 268 THRU 262 EXC JAMES COUZENS HWY AS WD NORTHWESTERN PURITAN SUB
L46 P31 PLATS, W C R 16/383 140 X 51

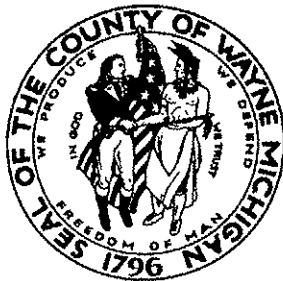
Commonly known as: 16210 JAMES COUZENS, CITY OF DETROIT

The total amount of delinquent taxes, penalties, interest and fees necessary to redeem
the parcel is \$8403.73.

Under the provisions of MCL 211.78g(5), I hereby certify, that on 10/8/2013, the sum
stated above was the amount necessary to redeem the foregoing described parcel of land
and that ROSALIND ROSALIND HARRIS has paid that amount to my office.

This Certificate of Redemption is issued to remove, release and discharge the Certificate
of Forfeiture recorded in Liber 49895, Page 404, Registration Number
2012113756, of the Wayne County Records.

Dated this Day 1/8/2014.



Raymond J. Wojtowicz

Raymond J. Wojtowicz
Wayne County Treasurer